



**NEW JERSEY JUDICIARY**

**Stuart Rabner**  
Chief Justice

**Glenn A. Grant, J.A.D.**  
Acting Administrative Director

**Superior Court of New Jersey**  
**Essex Vicinage**

Family Division

Robert N. Wilentz Justice Complex  
212 Washington Street  
Newark, N.J. 07102

**Hon. Patricia K. Costello**, Assignment Judge

**Hon. Sallyanne Floria**, Presiding Judge - Family Part

**Amy K. DePaul**, Trial Court Administrator: **(973) 693-5701**

Family Division Manager: **(973) 693-6667**

Ombudsman: **(973) 693-5728**

# A Family Guide to Juvenile Justice

*A Handbook for Families*



**Superior Court of New Jersey**  
**Family Division – Essex Vicinage**  
**Juvenile Services Unit**

***SOME IMPORTANT THINGS TO REMEMBER ABOUT  
THE JUVENILE JUSTICE SYSTEM***

- When handling juvenile matters, the court's goals are rehabilitation and accountability. The court handles each child on an individual basis according to the law and based on the circumstances of each individual case.
- In some types of juvenile cases, there are mandatory dispositions, and in some types of offenses, such as certain drug related matters, there are required monetary fines that must be imposed by the court.
- If you think that you or your child has been treated unfairly or disrespectfully, you may contact the Trial Court Administrator or Family Division Manager. The Ombudsman is also available to assist with related concerns or questions. Contact Information is listed on the back of the publication.

**JUVENILE SERVICES OFFICE**

Robert N. Wilentz Justice Complex  
212 Washington Street, Room 915  
Newark, New Jersey 07102

Main number: 973-693-6775

Fax Number: 973-693-6734

Office hours: Monday through Friday  
8:30 a.m. to 4:30 p.m.



**Many thanks to the Juvenile Working  
Group of Essex County, chaired by the  
Hon. James G. Troiano, J.S.C., for their  
assistance with the creation of this guide.**

**A special thank you is also extended to  
the Youth Services Commission of  
Monmouth County for inspiring this guide  
and permitting its adaptation.**



## Additional Resources

- ♦ N.J. Division of Child Behavioral Health Services 1-877-652-7624
- ♦ Detention Alternatives Program 973-733-4666
- ♦ N.J. Division of Youth and Family Services (Child Abuse Hotline) 1-877-NJABUSE [1-877-652-2873]
- ♦ Essex County Probation Division 973-395-3020 (main number)
- ♦ Essex County Public Defender's Office - Juvenile Unit \* 973-648-3470  
31 Clinton St, 4th Floor, Newark, NJ 07102

*\*Applications for a juvenile public defender may be obtained in Room 915 at 212 Washington Street, Newark, NJ 07102*

- ♦ Essex County Prosecutor's Office Juvenile Unit 973-621-5384  
212 Washington Street, Room 961 Newark, NJ 07102
- ♦ Essex County Sheriff's Office 973-621-4111  
50 West Market Street, 2nd Floor Newark, NJ 07102

## Important Information

You should always make certain that your child's attorney and the court have your correct address and telephone number.

NEXT COURT DATE(S)/TIMES: \_\_\_\_\_

JUDGE: \_\_\_\_\_

ATTORNEY NAME: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

PLEASE NOTE ALL THAT APPLY:

☐ Detention Alternatives Coordinator: \_\_\_\_\_

Phone: \_\_\_\_\_

☐ Probation Officer: \_\_\_\_\_

Phone: \_\_\_\_\_

☐ Other Court Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

☐ Youth Case Manager: \_\_\_\_\_

Phone: \_\_\_\_\_

☐ CMO Care Manager: \_\_\_\_\_

Phone: \_\_\_\_\_

☐ DYFS Worker: \_\_\_\_\_

Phone: \_\_\_\_\_

☐ DHS School Phone: \_\_\_\_\_

☐ Other: \_\_\_\_\_

## ***Table of Contents***

How the Juvenile Justice System Works	<b>1-2</b>
How Will My Child's Case be Handled	<b>2-3</b>
Dispositions, Conditions, Consequences	<b>4</b>
Diversion Programs	<b>4-6</b>
Appeals	<b>7</b>
Expunging a Juvenile Record	<b>7</b>
Essex County Detention Alternatives Program	<b>8-9</b>
Substance Abuse Issues and Resources	<b>10-11</b>
Domestic Violence Issues and Resources	<b>12-13</b>
Legal Services	<b>13</b>
Mental Health Issues and Resources	<b>14-17</b>
Health Issues and Resources (Sexual Health/Pregnancy, Physical Health)	<b>18-19</b>
Education Issues and Resources	<b>20-21</b>
Support for Families and Resources	<b>22-23</b>
If Things Go Wrong	<b>24-25</b>
Additional Resources	<b>26</b>

This booklet is intended to serve as a general guide about the local juvenile justice process and resources that may be of assistance. It is not intended as legal advice and it may not address every question or be applicable to every individual circumstance.

For example, if you are on Home Detention and are having trouble in school, do not think that cutting the bracelet and running will solve this problem. Instead, call your Detention Alternatives Coordinator and speak to them about your difficulties so that you can avoid getting into trouble. Try to think things out while keeping in mind the consequences instead of acting within the moment. Poor decisions can lead you back to court and possibly to the Youth Detention Center. Try to get involved in positive activities such as school, sports, music, art, spending time with your family, and finding a job. The busier you are, the less time you will have to get into trouble. Think of yourself as a leader, not a follower, and make your own choices. Surround yourself with those who are doing positive things with their lives and do the same for yourself!



## If Things Go Wrong

If you are a parent who has a child involved within the court system, it is not unusual for you (and your child) to feel overwhelmed. It is important to begin by looking over your court papers, and learning about what is expected of you and your child.

Over time, many children forget the time when they were in front of the judge and may begin to create their own rules. This is when parental involvement again becomes important. If your child does begin to act out again, you should try to talk to them in a calm, clear manner to try to find out what may be going on. Tell them that you are trying to understand them and want to help them through these tough times. Do not threaten or yell at them because this could only make the situation worse. If this does not work, you could use the court system to your advantage. For example, if your child is involved with a detention alternatives program then call the detention alternatives coordinator; if your child is involved with Probation, call the probation officer. Speak to them about what is going on.

Keep in mind that if your child's behavior is out of character, it could be an emotional or behavioral issue. Therefore, you will want to have the situation assessed by a mental health professional. If you are not involved with any other agency, your first step is to call N.J. Division of Child Behavioral Health Services at 877-652-7624 and request assistance with your difficulties. Note that there are many people and services to help you through this experience so you do not have to do it on your own.

*Everyone  
makes  
mistakes -  
it's how you  
deal with  
them that  
counts.*

If you are a young person involved with the court system, it is important that you understand that you need to follow what the judge tells you to do (refer to court order). You are responsible for your actions, choices and decisions. Everyone makes mistakes, but it is how you deal with them that counts. The most important thing to remember is that you should never run from your problems because they will catch up with you sooner or later. If you feel you need help or extra support, it is important that you ask for what you need in order to succeed.

## How the Juvenile Justice System Works



### 1. WHAT IS JUVENILE DELINQUENCY?

Delinquency is defined as an act by a juvenile which if committed by an adult would constitute a crime, a disorderly persons offense, a petty disorderly persons offense, or a violation of any other penal statute, ordinance or regulation.

### 2. WHY IS MY CHILD IN THE JUVENILE COURT SYSTEM?

Your child will be appearing in court because someone has accused your child of committing an act which is against the law in New Jersey. The court will provide you with a copy of the complaint describing the alleged illegal conduct.

### 3. WHO SIGNS JUVENILE DELINQUENCY COMPLAINTS?

Police sign most complaints based on either personal observation or information supplied by others such as victims. Complaints may also be signed by school officials or victims. Probation officers sign violation of probation complaints.

### 4. CAN MY CHILD BE DETAINED BASED UPON THE SIGNING OF A COMPLAINT?

A child may be taken into custody and detained based on the nature of the offense, the need to protect society, a past record of adjudications, the recent failure to appear at court proceedings or failure to remain where placed by the court or Court Intake Service. An adjudication occurs when the court finds that your child has committed the offense(s) listed on the complaint.

### 5. WHAT HAPPENS IF MY CHILD IS DETAINED?

At times, the court may need to place your child in a detention facility. If your child is detained, an initial detention hearing will be held as soon as possible, no later than the following day after placement in detention. At the hearing, you and your child will be told what the charges are and whether or not an attorney will be required to represent your child. The charges are listed on the complaint. You and your child will have a chance to ask questions about the process. At the end of this hearing, the court will make the first decision about releasing or detaining your child. A parent or guardian is expected to be present at all hearings involving the child.

## **6. WHAT HAPPENS IF MY CHILD IS NOT RELEASED?**

If your child is not released after the initial detention hearing, a detention review hearing may be scheduled within five working days to determine whether or not he / she is eligible to be released into a detention alternative program. Or, if it is determined that your child should not be released, the judge will schedule a "Counsel Mandatory Calendar Call." At this hearing your child must be represented by an attorney, either private or, if you qualify, a public defender. The complaint may be disposed of at this hearing. If the matter is not disposed of, a trial date will be given, or another Counsel Mandatory Calendar Call will be scheduled.

## **7. CAN I ARRANGE FOR BAIL?**

Unlike adult matters, there are no provisions for release on bail in juvenile cases.

## **8. WHAT HAPPENS NEXT?**

Court personnel preliminarily review the matter and determine how the case will be handled.

## **9. WHAT OPTIONS ARE AVAILABLE TO THE COURT AS FAR AS THE HANDLING OF MY CHILD'S CASE?**

### **A. Juvenile Conference Committee (JCC)/ Intake Service Conference (ISC)**

### **B. Informal Court/Juvenile Referee**

### **C. Formal court proceeding before a judge**

A Juvenile Conference Committee is a trained citizen volunteer panel appointed by the court. An Intake Service Conference is conducted by a Judiciary staff person. The court decides whether a complaint will be diverted (sent for review by an alternate method of resolution), sent to the Juvenile Referee or sent to court. If the complaint is not sent to court, it may be diverted to a local Juvenile Conference Committee or to an Intake Service Conference to be heard by a representative of the Family Division. Decisions to divert cases are based on the nature of the offense, the age of your child, prior record, and willingness of parties to cooperate. Juvenile Conference Committee agreements and Intake Service Conference agreements are not final until signed by a judge.

## **Support Resources**

- Family Crisis Intervention Unit (FCIU): 973-286-2966
- Division of Child Behavioral Health Services (DCBHS): 877-652-7624
- Al-Anon: 973-744-8686 (support for family members of alcoholics)  
[www.nj-al-anon.org](http://www.nj-al-anon.org)
- Alateen (support for teens with alcoholism in family): 973-744-8686  
Support groups for relatives and friends of those who have alcohol, drug or behavior problems.
- Families Anonymous: 1-800-736-9805
- Essex County Department of Citizen Services: 973-395-8400
- Hispanic Affairs and Resource Center: 732-774-3282
- Jewish Family and Children's Services: 732-774-6886
- New Jersey 211 First Call for Help: 211
- New Jersey Division of Child Behavioral Health Services: 1-877-652-7624
- New Jersey Self-Help Clearinghouse: 1-800-367-6274  
Maintains a database of over 4,500 self-help groups statewide.
- Parents Anonymous of New Jersey (24 Hour Stress line): 1-800-843-5437  
Confidential peer support groups around child abuse and neglect.
- Parents Support Group of New Jersey: 973-736-3344  
Confidential support groups for parents around substance abuse.
- Statewide Parents Advocacy Network (SPAN): 1-800-654-SPAN
- Tough Love International: 1-800-333-1069

## ***Support for Families***

Support is necessary for everyone. We all need it. We especially need support during times of stress or when we or the people we love are involved in a crisis.

Reaching out for support is sometimes difficult to do. We often think we should be able to handle a difficult situation on our own - that we will appear weak or ineffectual if we ask for help or even a listening ear. Sometimes we wonder what people will think of us or whether we will be judged. At other times we may blame ourselves and decide to tough it out all alone.

No matter what you are going through, you are not alone. There are always many others in the same situation. Finding the right support for you in a time of difficulty is easier than you might think. Supportive individuals and organizations are available:

- Your church or religious group
- Your school counselor or school-based youth services
- Your local counseling or community center
- Your friends and neighbors
- Your extended family network
- Family Crisis Intervention Unit (FCIU)
- Division of Child Behavioral Health Services (DCBHS)
- Help line and support groups
- Community collaborations

All of these organizations can offer support through direct counseling, one-to-one conversations, groups, family/ peer contact, information and referral or activities.

Notice of court dates will be given to you well in advance of the scheduled court dates. You, your child or your child's lawyer, if he or she has one, must notify the court when your child cannot appear. If the court is not notified, the judge may issue a warrant for your child.

### ***11. DOES MY CHILD NEED A LAWYER?***

You may hire an attorney for *any* court appearance. Not all proceedings require an attorney.

Complaints handled by the Juvenile Conference Committee, an Intake Service Conference, or juvenile referee do not require an attorney.

In all formal court proceedings before a judge, your child *must* have an attorney. This type of proceeding is known as a counsel mandatory court proceeding or as formal court. If there is a possibility of removing your child from home, the court will require your child to be represented by an attorney. If you cannot afford an attorney, you must, on behalf of your child, submit an application (also known as a 5A form) to the court to determine if your child is eligible to receive the services of a public defender or a court-appointed attorney. If you fail to complete an application for assignment of counsel, the court may issue a warrant for your arrest.

### ***12. WHAT HAPPENS AT THE NEXT HEARING?***

If the judge finds that your child has committed the offense(s) charged, the judge will enter a disposition.

### 13. **WHAT TYPES OF DISPOSITIONS, CONDITIONS, AND/OR CONSEQUENCES CAN BE IMPOSED?**

Depending on the seriousness of the offense, the court may send your child to the following types of court appearances. A diverted complaint will be referred to the Juvenile Conference Committee or an Intake Services Conference.

#### For Matters Handled by the Juvenile Conference Committee or Intake Services Conference:

The parent, the juvenile and the person who filed the complaint are invited to discuss the offense and other related factors. The committee/intake officer does not have the authority to determine delinquency. This is an informal discussion of the events and all parties must be in agreement. Attorneys are not required. There is no chance of confinement. The disposition recommendations will be placed on an agreement/court order signed by the child, his or her parent/legal guardian and the person who filed the complaint. This agreement will then be forwarded to the court for final approval. The resolution of the case may include conditions such as a curfew, counseling, evaluation, community service, restitution, or any condition which will aid in the child's rehabilitation. If after hearing the proposed conditions, there is a disagreement among the parties, the terms may be negotiated to all parties' satisfaction or if that is not possible, the case may be sent back to the court. If all agree to the conditions, the Juvenile Conference Committee or intake staff person will monitor the completion of the conditions. Upon successful completion of the agreed upon conditions, the case is dismissed. If your child fails to complete the conditions of diversion and/or new complaints are signed prior to the dismissal, the original complaint will go back to court and may be heard by a judge. For additional information, please call 973-693-6775.

*Juvenile Auto Theft Prevention Program (JATPP):* The goal of the program is to inform juvenile offenders and parents about the consequences of auto theft. JATPP emphasizes the development of personal values, decision making, respect for the property of others, critical thinking, conflict management skills and the importance of education. Attendees are referred by the court when the primary charges are auto-theft related and the juvenile has never been previously adjudicated delinquent. JATPP requires two sessions which focus on the incident and the participation of both the parent(s) and the juvenile. Community agencies offer guidance and support, and the coordinator and volunteers offer comments and encouragement. For additional information about the program, please call 973-693-6788.

If you need the name and phone number of your local district, contact the **Essex County Superintendent of Schools' Office** at 973-395-4677. The **Essex County Superintendent of Schools' Office** is located at **7 Glenwood Avenue, Suite 404, East Orange, NJ 07018**. This office mediates between parents and the school district. They can advise you on how to request formal mediation from the school district. They can also inform you on how to make a complaint or give you information on due process.

Help from outside the school district is available if you feel frustrated after you have taken the steps above.

## **Education Resources**

#### *Parent Peer Support:*

- ♦ Statewide Parent Advocacy Network: 1-800-654-SPAN

This group can help you understand your child's educational rights [www.spannj.org](http://www.spannj.org).

#### *Professional Advocates:*

- ♦ The Association for Children of NJ (ACNJ): 973-643-3876

ACNJ advocates on behalf of children and families in the State of NJ. This group has attorneys on staff that may address a variety of concerns including, but not limited to: children's health, safety and education. [www.acnj.org](http://www.acnj.org)

- ♦ The Education Law Center: 973-624-1815

The Education Law Center advocates on behalf of public school children for access to an equal and adequate education under state and federal laws. [www.edlawcenter.org](http://www.edlawcenter.org)

- ♦ Community Health Law Project: 973-275-1175

Legal advocacy (non-criminal) for low-income families and individuals who are physically or emotionally challenged.



## Education Issues

One factor which is crucial to your child's ability to succeed in school is your involvement. The purpose of this section in this guide is to assist families in finding the right educational resources for their children.

There is no obligation to tell the school that your child was arrested or was in detention. Unless it affects your child's education, you may keep it private. If you decide to let the school know, the place to start is your child's guidance counselor. He or she will help you and your child plan what to do with school.

Your child should be able to go back to school. If not, you should be given a good reason, and another plan should be made immediately for your child's education.

Under New Jersey, law N.J.S.A. 18A:-37-8, any pupil who is removed from the regular education program shall be placed in an alternative education program. If placement in an alternative education program is not available, the student should be provided home instruction or other suitable facilities and programs until placement is available.

School districts in New Jersey have control over the educational programs which are offered to students. If your child is participating in any detention alternative program and can't attend school, the school district can use a variety of educational programs to meet the student's current grade requirements.

If your child is classified, you should have received a booklet called "PRISE" (Parental Rights In Special Education). This booklet outlines all of the steps you can take in working with the staff in the school, your district, and the state. Ask school officials for this booklet if you do not have it.

For classified students, educational strategies may include placement in an alternative school, home tutoring, the New Jersey Virtual High School (an online option) or other district program. The ultimate goal of these alternative placements is to allow your child to continue their education. If the school is not giving you answers or you do not have confidence in the answers, you can take these steps:

- If your child has a child study team case manager, call him or her
- Call the child study team supervisor if you are not satisfied
- Call the principal if you are still not satisfied
- Call the superintendent if you are still not satisfied

Prevention, Intervention and Education (PIE): PIE is a program for juveniles arrested for the first time for substance abuse related offenses. There are four mandatory educational sessions which must be attended by the juvenile and a parent or guardian. The four mandatory sessions are conducted at the Veteran's Court House. For additional information contact the PIE Coordinator at (973) 642-5912.

### Juvenile Referee Program:

Juvenile Referees operate in accordance with NJ Court Rule 5:25-2 and hear informal juvenile matters for which attorney representation is not mandatory. Referees can recommend dismissal of a complaint or make an adjudication (finding) of delinquency. Cases screened for the Juvenile Referee are the third and highest level for hearing informal matters. The first level is JCC and the second level is ISC.

Juvenile Referees must meet certain educational requirements as established by law, and operate as an arm of the court to accept pleas to offenses of the second, third and fourth degrees and can recommend the same disposition alternatives as a Family Court Judge. These alternatives include but are not limited to:

- |  |   |
|--|---|
| ~ Supervised probation   | ~ Counseling  |
| ~ Suspension of driver's license or prevention of obtaining a driver's license | ~ Referral to appropriate outside agencies                                  |
| ~ Community service  | ~ Issuance of a bench warrant for failure to appear or comply with an order |
| ~ Fines and restitution  |   |

All dispositions recommended by the Juvenile Referee are written in a court order and submitted to the Family Court Judge for approval and signature. All matters not resolved by the Juvenile Referee are referred for a formal court hearing. For additional information, please call 973-693-6775.

## ***Essex County Detention Alternative Programs***

Detention alternatives provide short-term levels of supervision to appropriate youth in the community while they await the final disposition of their case. These youth would otherwise be placed in a secure detention facility while awaiting their court hearing.

### **Goal**

The overall purpose of all of the Essex County alternative programs is to supervise youth in the community pending the disposition of their juvenile court cases, and in the process:

- (a) Ensure the youth's future appearance at court hearings.
- (b) Maintain public safety by assisting the youth in remaining arrest free.

### **Home Detention**

This involves community supervision through the use of random, surprise, home visits by a community youth worker. Supervision includes five (5) random visits per week, including both Saturday and Sunday, each visit lasts ten (10) minutes. Approximate duration in the program is 0 to 60 days.

### **Evening Reporting Center**

This involves supervision through the use of a community center at which youth are required to report daily, during the crime-prone evening hours. Juveniles must report to the center from Monday through Friday and must remain at the center from 4:00 p.m. to 8:00 p.m. each day (i.e., 20 hours per week). They are picked up from home or school at 3:00 p.m. and transported to the center where they remain until they are dropped off at home at 9:00 p.m. Juveniles also receive random monitoring by home detention staff on weekends. Approximate duration in the program is 0 to 45 days.

- ♦ If your child may need birth control
- ♦ If your child may be pregnant

Many health resources are available to you and your child. It is most important to find a provider who maintains a current health history and is available for preventative and acute care service. Most services are covered by Medicaid or private insurance, and sliding scales based on income (proof of income may be required) are available.

*A list of private doctors can be obtained from your local hospital or you may call your health insurance provider for a list of doctors in your area.*

## ***Health Resources***

- New Jersey Family Health Line: 800-328-3838
- Essex County Division of Welfare/Citizen Service Centers: 973-733-3000
- Gateway Northwest Maternal and Child Health Consortium, Inc.: 973-268-2280
- NJ Family Care (Health Coverage): 800-701-0710 or 973-733-2440
  - ~ Newark, Nutley, Belleville, Irvington: 973-395-8165
  - ~ East Orange, Montclair, Orange and other suburbs: 973-395-8000



## Health Issues

Most teenagers are healthy, but if you or your child are worried about their health, there are resources.

Every youth should have a health practitioner who knows them. This could be a pediatrician, a nurse practitioner, a family doctor, a primary care center or a clinic. Regular routine physicals and health screenings can help the health practitioner know your child.

You should pay attention to your child's healthcare:

- ♦ If he or she doesn't have a practitioner who knows them
- ♦ If your child hasn't seen a doctor for a routine physical in one year
- ♦ If your child has been diagnosed with a chronic illness such as diabetes, asthma, or seizure disorder and does not have follow-up appointments
- ♦ If your child needs immunizations
- ♦ If your child experiences any adverse physical symptom which may include:
  1. nutritional imbalances (underweight, overweight, eating disorders)
  2. frequent headaches
  3. vomiting, diarrhea, frequent stomach aches
  4. fever
  5. chronic fatigue or tiredness
  6. pain that doesn't go away
  7. anything else that worries you or your child
- ♦ If you suspect that your child is sexually active, may have a sexually transmitted disease, or may be having unprotected sex

### For Matters Handled by a Judge:

A judge oversees the court hearing. At this hearing, your child will be expected to enter a plea admitting or denying the charge. These court cases are placed on either the informal or the formal calendar. If the case is on the informal calendar (also known as counsel non-mandatory), your child may have an attorney, but it is not a requirement. If the case is on the formal calendar (counsel-mandatory), an attorney is required. If you cannot afford an attorney, you (the parent/guardian) will be advised to complete a form to determine eligibility for public defender services. If you do not qualify, you must make arrangements to obtain a lawyer. It is possible that an attorney will be assigned to represent your child and that you will be obligated to pay the attorney at the conclusion of the case for the reasonable value of his or her services. If the facts are disputed, the judge will decide the case. If the judge finds your child delinquent, the judge will impose a disposition in accordance with New Jersey law. If you disagree with the judge's decision, you may file an appeal within 45 days.

The court may order any disposition to aid in your child's rehabilitation and to reinforce your child's accountability. This may include fines, community service and/or a term of supervision such as probation or deferred disposition. Probation offers juveniles the opportunity to remain in the community under supervision by a probation officer who monitors their compliance with rules and conditions imposed by the judge.

Probation may last for a period of up to three years. If your child does not obey the conditions of probation, there will be consequences such as increased probation reporting or a curfew, and your child could be charged with a violation of probation. If all conditions are met and your child shows significant progress, your child may earn an earlier end to the probation term. In some instances, formal disposition may be deferred (put off) for up to one year. During this time period, your child must complete any special conditions ordered by the judge and must not be charged with a new offense during this time. If he or she meets all conditions during the deferral period, an order will be entered dismissing the complaint. If conditions are not met, the original complaint will go back to court and be heard by the judge.

In addition to the above, for cases on the formal counsel mandatory calendar only, the judge also has the option of ordering a period of confinement in a juvenile detention facility, incarceration in a correctional facility for youth, out of home placement, or a clinical residential treatment or residential drug and alcohol treatment program. Although the judge has the power to incarcerate your child, this

does not mean that the judge will choose this as an option if your child is found delinquent. The judge may order a pre-disposition report to be completed by a court officer. This report will help the judge in determining the appropriate disposition. When there is a chance of incarceration, your child must be represented by an attorney and you may direct questions to the attorney.

### **RIGHT TO APPEAL**

If, after the final court order disposing of the case, your child disagrees with the outcome, he or she has the right to appeal the findings of the court within 45 days. Information on appeals may be found on the Judiciary web site at:

[njcourts.com](http://njcourts.com).

### **14. CAN A JUVENILE RECORD BE EXPUNGED?**

In New Jersey, an expungement is the extraction and isolation of all records on file within any court, detention or correctional facility, law enforcement or criminal justice agency concerning a person's detection, apprehension, arrest, detention, trial or disposition of an offense within the criminal justice system. This includes juvenile records. For certain juvenile matters, expungement is permitted if a period of five years has passed since the final discharge of the person from legal custody or supervision or if five years have passed since the entry of any other court order not involving custody or supervision. Certain offenses may not be expunged.

In order to request an expungement, you may want to see an attorney. If you cannot afford an attorney and would like to process the required legal paperwork as a self-represented court user, the forms may be obtained from the Juvenile Unit. You may also want to contact your local Legal Services office. They offer legal assistance to low-income individuals (see pg. 13). If the police, charging authority, prosecutor, and probation officer do not object to the expungement request, the court may enter the expungement order. If all of the parties listed are not in agreement, a hearing must be held.

If a juvenile record is expunged, then, in most but not all cases, the fact that your child was taken into custody or adjudicated delinquent will be deemed not to have occurred. If you need additional information regarding expungements, you may contact an attorney and/or review Title 2C of the New Jersey Statutes. (N.J.S.A. 2C:52-1 through 32).

- ♦ Newark Community Health Centers, Inc.: 973-483-1300
- ♦ St. Barnabas Pediatric Psychiatry (Livingston, NJ): 973-322-7600
- ♦ UMDNJ – UBHC Crisis Outpatient services: 973-972-6100
- ♦ Youth Development Clinic: 973-623-5080  
500 Broad Street, 3rd Floor, Newark, NJ

*(See section on Support p. 23 for additional support resources)*

### **If there is a crisis:**

- ♦ Call 911 If an emergency.
- ♦ Take child to a local emergency room.
- ♦ Essex County Juvenile Detention Center (Off-Hour Crisis Response) 4 p.m.– 9 a.m. weekdays, All day on weekends and holidays: 973-497-4735 (leave name and number for the Crisis Worker to return your call).

### **Lead Agencies:**

- ♦ Youth Consultation Services 973-482-8411  
284 Broadway, Newark, N.J.
- ♦ Family Connections 973-675-3817  
395 South Center Street, Orange, N.J.
- ♦ Family Service Bureau of Newark 973-412-2056  
275 South Orange Ave, Newark, NJ 07103
- ♦ The Bridge, Inc. 973-228-3000  
14 Park Avenue, Caldwell, N.J.
- ♦ The Bridge, Inc 973-372-2624  
1065 Clinton Avenue, Irvington, N.J.
- ♦ Cope Center 973-783-6655  
104 Bloomfield Avenue, Montclair, N.J.
- ♦ Family Crisis Court Liaison's Office 973-286-2966  
212 Washington Street, Rm. 915, Newark, N.J.
- ♦ Division of Mental Health Services (DHS) 1-800-382-6717

## ***Information and Referral***

- If you are covered by insurance, call your insurance company for a referral to a mental health provider in your area.
- Mental Health Association of N.J./N.J. Mental Health Cares Hotline: 866-202-4357
- New Jersey Division of Child Behavioral Health 1-877-652-7624 (Contracted Systems Administrator - Value Options)
- FACES (youth support) 1-877-NJFACES
- The Bridge, Inc., Irvington, N.J.: 973-372-2624
- Cathedral Healthcare System/St. Michael's Medical Center: 973-877-5621
- Catholic Charities Referral Line: 1-800-227-7413
- Clara Maass/Women's Health Center: 973-450-2890
- Community Healthcare Network: 973-450-3100
- Covenant House: 973-621-8705
- El Club Del Barrio/ Health & Child Care: 973-624-4222
- Essex County Division of Mental Health & Guardianship Advocacy: 973-648-3847
- Foundation of UMDNJ, The September 11 Children & Youth Support: 973-972-4830
- Independence: A Family of Services, Inc.: 973-589-0959
- Irvington Counseling Center, Inc.: 973-399-3132
- Irvington Family Development Center: 973-372-4353
- Mental Health Association/Essex/Family Resource Center: 973-509-9777
- New Community Corporation: 973-623-2800

### **Electronic Monitoring**

This supervision method is through the use of electronic monitoring tracking equipment by a community youth worker. The equipment is attached to a telephone land-line in the juvenile's home. Supervision includes daily, random, and telephone contact by the electronic monitoring vendor. There is also, frequent review of the equipment by a community youth worker. The approximate duration in the program is 0 to 60 days.

### **Wireless Electronic Monitoring**

This supervision method is through use of wireless transmission tracking equipment by the supervising community youth worker. Supervision includes daily, random, frequent monitoring via a wireless transmission signal and frequent review of the equipment by a community youth worker. The approximate duration in the program is 0 to 60 days.

### **Probation Detention Alternatives**

This supervision method is through use of home confinement, reporting to the probation department, participation in field visits at approved locations, and cooperation with additional services as determined by staff. Supervision includes four contacts per week by a probation officer, two of which are face-to-face. Also, the juvenile must report to the probation department at least once per week. Approximate duration is 0 to 45 days.



## ***Substance Abuse Issues***

Many youth in our community are using alcohol and other substances such as marijuana, cocaine and heroin at increasing rates. Use of these substances often results in contact with the police or legal system, either due to possession of the substances, or other behaviors related to obtaining, buying or selling illegal substances.

You may be concerned that your child is just beginning to develop a problem with alcohol or substances, or you may already be certain that they have a serious substance abuse problem. If so, you and your child may need help. No one can confront substance abuse alone.

Counseling for substance abuse issues can be done individually, in groups, and with the whole family. At times, participating in a program several times a week or going away to a residential rehabilitation program may be needed. In addition, there are free support groups in the community, called "12 step meetings" for youth as well as their families, these include Alcoholics Anonymous, Families Anonymous and Narcotics Anonymous.

If you suspect your child is using substances, it is important that you take the first step and take your child for evaluation by a qualified substance abuse professional. With this professional, you will be able to decide what type of professional services to seek, and develop a plan to intervene in ways that will be most effective.

### **Recognize some signs of substance use, such as:**

- Changes in friends, especially if your child is hanging out with others you know or suspect use substances
- Staying out late, especially if you do not know where your child is
- Avoiding contact with family after being out with friends
- Missing school or important family events
- Money or valuables missing
- Odd behaviors and appearance

Any parent, guardian or caretaker can call 1-877-652-7624 to connect with the N.J. Division of Child Behavioral Health Services and ask that a needs assessment be done for their child. The assessment will determine what kind of care your child may need. You could be connected directly to services in your community or, if issues are more challenging, a case manager may be assigned to work with your child and family. The case manager will help you come up with plans to address your concerns.

If your child is at risk for hospitalization or not being able to remain in your home, you can ask for the "Children's Mobile Response and Stabilization Service" to come to your home to help calm the crisis and help your child remain stable at home. (See the resource section on the next page for contact information).

Please keep in mind that youth who are at immediate risk for harming themselves or others should be taken to the hospital for *emergency* screening. It is important that if a doctor prescribes medication for your child that you be certain it is taken in the prescribed manner. Medication can often help the situation improve quickly if properly managed.



## ***Mental Health Issues***

Youth getting in trouble with the police or the legal system may have unrecognized or untreated mental health issues that are contributing to their difficulty in staying out of trouble. Issues may include: Attention Deficit Disorder and difficulties with impulse control; depression and other issues with mood; or anxiety or reactions to serious or traumatic events. For some youth, getting in legal trouble can bring a child or family's personal issues to the surface. They may need help to cope with the situation and prevent further problems.

Your child *might* need mental/behavioral healthcare assistance if you notice:

- ♦ Your child frequently gets into arguments, has difficulty paying attention or staying focused, repeatedly gets in trouble in school for distracting others, and often does not complete assignments.
- ♦ Your child is irritable, feels hopeless, has lost interest in their usual activities, is withdrawing from family and friends, and has difficulty maintaining a regular sleep schedule.
- ♦ Your child has been through a very distressing event such as the loss of a close family member or friend or was a witness or victim of violence or assault, and experiences changes in mood, concentration, or sleep patterns after this event.
- ♦ Your child has difficulty managing anger and often seems to have conflict with peers or dealing with conflict within the family.

Many resources are available and listed in this guide to assist you in recognizing, understanding, and getting help. The first step is a comprehensive evaluation and deciding, with a behavioral healthcare provider, what is the best type of help for your child. Most services are covered by Medicaid or private insurance, and sliding scales for payment (based on proof of income) are available when needed. Individual or family counseling, group counseling, and evaluation by a medical doctor (psychiatrist) may be needed to help. In addition, support groups and case management programs are available in the community to help coordinate services.

## ***Substance Abuse Resources***

- N.J. Substance Abuse Hotline (referrals) 800-238-2333
- Narcotics Anonymous (support groups) 800-992-0401
- Al-Anon, Alateen (support groups for family members) 973-744-8686
- Alcoholics Anonymous (support groups) 908-687-8566
- Newark Renaissance House - Newark, N.J. 973-623-3386
- Turning Point - Cedar Grove, N.J. 973-239-4600
- Family Connections - Orange, N.J. 973-675-3817
- Cope Center - Montclair, N.J. 973-783-6322
- Straight & Narrow - Paterson, N.J. 973-345-6000
- Integrity, Inc. - Newark, N.J. 973-623-0600
- Daytop Village - Mendham, N.J. 973-539-5764
- Community YMCA Family Services (outpatient therapy) 732-290-9040
- CPC Behavioral Healthcare, ACCESS (outpatient therapy) 732-842-2000 x 4221
- Families Anonymous (support groups) 732-291-1467

## Domestic Violence Issues

Domestic violence is a pattern of abusive behavior used to maintain control or assert power over a spouse, former spouse, co-parent, co-expectant parent or dating partner or a present or former household member. Abusive behaviors are not limited to physical violence such as punching or kicking, they also include psychological, verbal, sexual and economic abuse. Domestic Violence can also involve a pattern of coercive behavior in intimate relationships whereby the behavior of another person is controlled through humiliation, intimidation, fear, and often intentional physical, emotional or sexual injury. Domestic Violence crosses *all* ethnic, socioeconomic and age groups and is also prevalent in same sex relationships.

### EXAMPLES OF ABUSIVE BEHAVIORS INCLUDE:

Physical: Hitting, slapping, pushing, biting, punching, choking and restraining.

Psychological: Making partner feel insecure, attacks on self esteem, blaming, criticizing, manipulation, making partner feel crazy, humiliating and creating feelings of guilt.

Intimidation: Threatening looks or behavior, throwing objects, breaking things, punching walls, and playing on partner's fears.

Isolation: Stopping the person from seeing friends and family, sabotaging relationships, pressuring partner into giving up activities or work, and keeping tabs on partner.

Verbal: Cursing, swearing, yelling, put downs, name calling, and criticizing thoughts and feelings.

Sexual: Any non-consenting sexual act or behavior, unwanted sexual contact, comments or gesturing within a relationship, and manipulating a partner into doing something sexual they do not feel comfortable with.

Economic: Controlling all finances, and preventing partner from getting a job.

### New Jersey Domestic Violence Protection Process

Under N.J. law, one or more of the following crimes constitutes an act of domestic violence: homicide, assault, terroristic threats, kidnapping, false imprisonment, sexual assault, lewdness, criminal trespass or mischief, harassment, stalking, criminal restraint, criminal sexual contact, burglary.

To be protected under New Jersey's domestic violence law, the abuser and victim must have a personal relationship at present or in the past. These relationships can include: marriage, separation, divorce or living together in the same household at present or in the past. Relationships can include a person whom the victim has dated (the defendant must be 18 years or older or an emancipated minor) or a person with whom the victim has or will have a child. Gay/lesbian relationships also are included.

Victims of domestic violence can seek both criminal (charges filed by the police and prosecuted) and civil (restraining order) relief. A criminal complaint can be filed at the police department or municipal court in the town where the violent incident occurred.

A civil complaint can be filed at the Domestic Violence Unit of the Family Division, located

on the 12<sup>th</sup> floor of the Wilentz Justice Complex, 212 Washington Street, Room 1251, Newark, N.J., Monday through Friday between the hours of 8:30 a.m. and 3:30 p.m. After 3:30 p.m. and on weekends or holidays, a complaint can be filed at the victim's local police department or the local police department where the incident occurred.

A restraining order is an order issued by a court that is intended to protect a victim of domestic violence. The provisions contained in this type of court order are based upon the circumstances and vary from case to case. In New Jersey, courts can issue emergency orders ("TROs") and permanent orders ("FROs").

A safe waiting room is available on the 12<sup>th</sup> floor to all victims and their families whenever they are in the courthouse.

There is no time limit on restraining orders in New Jersey. A final (permanent) restraining order lasts indefinitely, unless the victim decides to dismiss the complaint.

## Domestic Violence Resources

*For victim information, referrals, direct services, shelter care or emergency housing and financial assistance*

The Safe House	973-759-2154	National Domestic Violence Hotline	1-800-799-7233
Babyland Family Violence Program	973-484-4446	<b>Other Victim Services</b>	
The Rachel Coalition	973-764-9050	Victim-Witness Advocacy Office of the Essex County Prosecutor	973-621-4707
NJ Domestic Violence Hotline (24 hours)	1-800-572-SAFE (7233)	Victims of Crime Compensation Agency	973-648-2107

### For victims:

Partners for Women and Justice	973-233-0111
Seton Hall Law Clinic	973-642-8700

### For all litigants:

Essex County Bar Association ( <i>lawyer referral service</i> )	973-622-6204
Essex Newark Legal Services	973-624-4500
American Friends Service Committee (Immigration Issues)	973-643-1924
Catholic Community Services Immigration Law Program	973-733-3516
Legal Services of NJ Immigration Representation Project	1-888-576-5529